

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

Debora Turner,)	Civil Action No.: 8:17-CV-00114-DCC
)	
Plaintiff,)	
)	
vs.)	
)	
AnMed Health Medical Center a/k/a AnMed)	CONSENT ORDER OF DISMISSAL
Health; Aaron C. MacDonald, MD; Larry)	WITHOUT PREJUDICE
Davidson, MD; Christie B. Mina, MD; Piedmont)	AND TOLLING AGREEMENT
Spine and Neurosurgical Group, PA; Donald)	
Woodburn, MD; 24 ON Physicians, PC; Stephen)	
Hand, MD; Syed W. Malik, MD; Clint Seymour,)	
MD; AnMed Enterprises, Inc./HealthSouth, LLC)	
d/b/a AnMed Health Rehabilitation Hospital, an)	
affiliate of AnMed Health and HealthSouth)	
Corporation and Chris Johnson, PA-C,)	
)	
Defendants.)	

This matter was brought by Plaintiff Debora Turner in her individual capacity against Defendant Donald Woodburn, M.D. ("this Defendant"), among others. Plaintiff filed her Notice of Intent on July 6, 2016, and the parties participated in a pre-suit mediation on November 23, 2016. Plaintiff filed her Summons and Complaint on January 17, 2017 naming Donald Woodburn, M.D. as Defendant. Counsel for Plaintiff and counsel for Dr. Woodburn have now agreed to enter into a consent order of dismissal, without prejudice, dismissing Donald Woodburn, M.D. as Defendant from this lawsuit.

Plaintiff and Defendant Woodburn further agree that the applicable statute of limitations is hereby tolled until sixty (60) days prior to the trial date. During this tolling period, this case shall proceed against Defendants AnMed Health Medical Center a/k/a AnMed Health; Aaron C. MacDonald, MD; Larry Davidson, MD; Christie Mina, MD; Piedmont Spine and Neurosurgical Group, PA; 24 ON Physicians, PC; Stephen Hand, MD; Syed W. Malik, MD; Clint Seymour,

MD; AnMed Enterprises, Inc./HealthSouth, LLC d/b/a AnMed Health Rehabilitation Hospital, an affiliate of AnMed Health and HealthSouth Corporation and Chris Johnson, PA-C. Moreover, it shall continue only against the remaining Defendants unless such information is obtained during the tolling phase which Plaintiff believes indicates that Donald Woodburn, M.D. should be named as Defendant. If such a discovery is made, Plaintiff may file notice to the court of adding Donald Woodburn, M.D. so long as that notice is made no later than sixty (60) days prior to trial. If such notice is given, this Defendant shall not argue the expiration of the statute of limitations as a defense to its addition, unless such notice of adding parties back in is received after sixty (60) days prior to trial date; accordingly, this Defendant will not be required to file any responsive pleading if added as a party to the ongoing action no later than sixty (60) days prior to the trial date.

ACCORDINGLY, IT IS ORDERED that Donald Woodburn, M.D. is hereby dismissed without prejudice. This matter shall continue against the remaining Defendants, AnMed Health Medical Center a/k/a AnMed Health; Aaron C. MacDonald, MD; Larry Davidson, MD; Christie Mina, MD; Piedmont Spine and Neurosurgical Group, PA; 24 ON Physicians, PC; Stephen Hand, MD; Syed W. Malik, MD; Clint Seymour, MD; AnMed Enterprises, Inc./HealthSouth, LLC d/b/a AnMed Health Rehabilitation Hospital, an affiliate of AnMed Health and HealthSouth Corporation and Chris Johnson, PA-C, unless or until Plaintiff timely amends the Complaint as described above.

AND IT IS SO ORDERED.

s/Donald C. Coggins, Jr.
United States District Judge

January 18, 2018
Spartanburg, South Carolina

WE SO CONSENT:

s/Deloris K. Cromartie, Fed ID 11120
J. Edward Bell, III, Fed ID 1280
Deloris K. Cromartie, Fed ID 11120
Bell Legal Group, LLC
219 N. Ridge Street
Post Office Box 2590 (29442)
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843.546.2408
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WE SO CONSENT:

s/Jack G. Gresh, Fed ID 10559
Jack G. Gresh, Fed ID 10559
Lauren V. Spears, Fed ID 11740
Hall Booth Smith, P.C.
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